

REMARKS

This submission is in response to the Office Action dated May 14, 2008 (the “Office Action”). Claims 1 – 25 are pending in the application. Applicant has amended claims 1, 7 and 11. Support for the amendments herein may be found in the specification in at least paragraphs [10], [11], [12] and [13].

Claims 1-25 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,738,466 (“LaPierre”) in view of U.S. Application No. 2006/0104434 (“Nguyen”). Applicant respectfully traverses these rejections as follows.

A. Claims 1-16

None of the cited references, including LaPierre and Nguyen, individually or in combination, disclose or suggest the specific combination of claims 1, 7 and 11. For example, LaPierre does not disclose or suggest “applying *at a switching control point* one of a plurality of distinctive types of call waiting tones to the destination device based upon the redirecting number,” as recited in claim 1 (Emphasis Added). In contrast to claim 1, LaPierre discloses “using a distinctive *ring* to identify that the call has been redirected”. LaPierre, Abstract (emphasis added). LaPierre does not disclose or suggest “call waiting” or “call waiting tones”. When a telephone is not in use, the telephone rings when an inbound call is received. When a telephone is in use and an inbound call is received, the called party may hear a call waiting tone indicating that an inbound call is waiting for the called party. Using a distinctive *ring* to identify that a call has been redirected does not teach applying one of a plurality of distinctive types of

call waiting tones to the destination device. Thus, LaPierre does not disclose or suggest the specific combination of claims 1, 7 and 11.

Nguyen does not disclose or suggest “applying *at a switching control point* one of a plurality of distinctive types of call waiting tones to the destination device based upon the redirecting number,” as recited in claims 1, 7 and 11 (Emphasis Added). In contrast to claim 1, Nguyen discloses a “system for a **caller to control a distinctive ring** for a telephone call” where “the service switching point is operable to receive a **feature code** and a called directory number 11. Nguyen, Abstract (Emphasis Added).” Nguyen further teaches that a distinctive ring control feature is accessed by (the caller) dialing a feature code associated with the distinctive ring control. *See* Nguyen at Par. [16]. The SSP 20 is operable to **receive the feature code** and the called directory number input by the calling party, and is further operable to issue a query in response to receiving the feature code. *See* Nguyen at Par. [20]. It is noted that the SSP 20 in Nguyen receives the feature code and does not generate it in accordance with logic applied at a switch control point.

Nguyen does not disclose or suggest that logic applied at a **switching control point determines the distinctive type of call waiting tone**. That is, Nguyen does not disclose or suggest “applying *at a switching control point* one of a plurality of distinctive types of call waiting tones to the destination device based upon the redirecting number,” as recited in claims 1, 7 and 11 (Emphasis Added). In support of the claim amendment, the specification recites at par. [11], “**The SCP 230 includes logic that determines the particular distinctive ringing or call waiting tone to be applied to the subscriber device 206 based upon the redirecting**

number.” It is respectfully submitted that determining a particular distinctive ringing or call waiting tone via logic applied at a switching control point is different than a caller **controlling a distinctive ring** for a telephone call and forwarding the requested distinctive ring tone to an SSP, as taught in Nguyen. Thus, Nguyen does not disclose or suggest the specific combination of claims 1, 7 and 11.

Therefore, neither LaPierre nor Nguyen, individually or in combination disclose or suggest “applying *at a switching control point* one of a plurality of distinctive types of call waiting tones to the destination device based upon the redirecting number,” as recited in claims 1, 7 and 11 (Emphasis Added). Hence, claims 1, 7 and 11 are allowable.

Claims 2-6 depend from claim 1, which Applicant has shown to be allowable. Thus, claims 2-6 are allowable, at least by their dependency from claim 1.

Claims 8-10 depend from claim 7, which Applicant has shown to be allowable. Thus, claims 8-14 are allowable, at least by their dependency from claim 7.

Claims 12-16 depend from claim 11, which Applicant has shown to be allowable. Thus, claims 8-14 are allowable, at least by their dependency from claim 11.

B. Claims 17 - 21

None of the cited references, including LaPierre and Nguyen, individually or in combination, disclose or suggest the specific combination of claim 17. For example, LaPierre does not disclose or suggest “wherein the switching control point sends a response message to the service switching point, the response message including a field to identify activation of one

of a plurality of distinctive types of call waiting tones based on the redirecting number,” as recited in claim 17 (Emphasis Added). In contrast to claim 17, LaPierre discloses “using a distinctive *ring* to identify that the call has been redirected”. LaPierre, Abstract (emphasis added). LaPierre does not disclose or suggest “call waiting” or “call waiting tones”. When a telephone is not in use, the telephone rings when an inbound call is received. When a telephone is in use and an inbound call is received, the called party may hear a call waiting tone indicating that an inbound call is waiting for the called party. Using a distinctive *ring* to identify that a call has been redirected does not teach applying one of a plurality of distinctive types of *call waiting tones* to the destination device. Thus, LaPierre does not disclose or suggest the specific combination of claim 17.

Nguyen does not disclose or suggest “wherein the switching control point sends a response message to the service switching point, the response message including a field to identify activation of one of a plurality of distinctive types of call waiting tones based on the redirecting number,” as recited in claim 17 (Emphasis Added). In contrast to claim 17, Nguyen discloses a “system for a **caller to control a distinctive ring** for a telephone call” where “the service switching point is operable to receive a **feature code** and a called directory number. Nguyen, Abstract (Emphasis Added).” Nguyen further teaches that a distinctive ring control feature is accessed by (the caller) dialing a feature code associated with the distinctive ring control. *See* Nguyen at Par. [16]. The SSP 20 is operable to **receive the feature code** and the called directory number input by the calling party, and is further operable to issue a query in response to receiving the feature code. *See* Nguyen at Par. [20]. It is noted that the SSP 20 in

Nguyen receives the feature code and **does not** generate it in accordance with logic applied at a switch control point.

Nguyen does not disclose or suggest that the switching control point determines the distinctive type of call waiting tone and sends a response message including a field identifying activation of the determined distinctive type of call waiting tone. That is, Nguyen does not disclose or suggest “wherein the switching control point sends a response message to the service switching point, the response message including a field to identify activation of one of a plurality of distinctive types of call waiting tones based on the redirecting number,” as recited in claim 17 (Emphasis Added). In further support of this distinction, the specification recites at par. [14], “Based on the evaluation of the RDN, the SCP 306 sends the response message 318 (such as an authorize termination response message) back to the SSP 304. The response instructs the SSP to set the distinctive ring/call waiting tone on the subscriber line and to continue with the call.” It is respectfully submitted that sending back a response message instructing the SSP to set the distinctive ring/call waiting tone on the subscriber line is different than a caller **controlling a distinctive ring** for a telephone call and forwarding the requested distinctive ring tone to an SSP, as taught in Nguyen. Thus, Nguyen does not disclose or suggest the specific combination of claim 17.

Therefore, neither LaPierre nor Nguyen, individually or in combination disclose or suggest “wherein the switching control point sends a response message to the service switching point, the response message including a field to identify activation of one of a plurality of

distinctive types of call waiting tones based on the redirecting number,” as recited in claim 17 (Emphasis Added). Hence, claim 17 is allowable.

Claims 18-21 depend from claim 17, which Applicant has shown to be allowable. Thus, claims 18-21 are allowable, at least by their dependency from claim 17.

B. Claims 22 - 25

None of the cited references, including LaPierre and Nguyen, individually or in combination, disclose or suggest the specific combination of claim 22. For example, LaPierre does not disclose or suggest, “wherein the call logic module sends a response message to the call facilitating module, the response message including a field to identify activation of one of a plurality of distinctive types of call waiting tones based on the redirecting number,” as recited in claim 22 (Emphasis Added). In contrast to claim 22, LaPierre discloses “using a distinctive *ring* to identify that the call has been redirected”. LaPierre, Abstract (emphasis added). LaPierre does not disclose or suggest “call waiting” or “call waiting tones”. When a telephone is not in use, the telephone rings when an inbound call is received. When a telephone is in use and an inbound call is received, the called party may hear a call waiting tone indicating that an inbound call is waiting for the called party. Using a distinctive *ring* to identify that a call has been redirected does not teach applying one of a plurality of distinctive types of *call waiting tones* to the destination device. Thus, LaPierre does not disclose or suggest the specific combination of claim 22.

Nguyen does not disclose or suggest “wherein the call logic module sends a response message to the call facilitating module, the response message including a field to identify activation of one of a plurality of distinctive types of call waiting tones based on the redirecting number,” as recited in claim 22 (Emphasis Added). In contrast to claim 22, Nguyen discloses a “system for a **caller to control a distinctive ring** for a telephone call” where “the service switching point is operable to receive a **feature code** and a called directory number. Nguyen, Abstract (Emphasis Added).” Nguyen further teaches that a distinctive ring control feature is accessed by (the caller) dialing a feature code associated with the distinctive ring control. *See* Nguyen at Par. [16]. The SSP 20 is operable to **receive the feature code** and the called directory number input by the calling party, and is further operable to issue a query in response to receiving the feature code. *See* Nguyen at Par. [20]. It is noted that the SSP 20 in Nguyen receives the feature code and does not generate it in accordance with logic applied at a switch control point.

Nguyen does not disclose or suggest that the call logic module sends a response message to the call facilitating module including a field to identify activation of one of a plurality of distinctive types of call waiting tones based on the redirecting number. That is, Nguyen does not disclose or suggest “wherein the call logic module sends a response message to the call facilitating module, the response message including a field to identify activation of one of a plurality of distinctive types of call waiting tones based on the redirecting number,” as recited in claim 22 (Emphasis Added). In further support of this distinction, the specification recites at pars. [10] and [11], “The SCP 306 receives the query message and formulates a response message. The response message is formulated based on the following criteria: For the user

interface case where any forwarded call activates the distinctive ring tone, the SCP looks at the inbound call information. If it contains a redirecting number (RDN), the distinctive call waiting tone should be applied to the call. Otherwise, a normal call waiting tone will be applied to the call.”, “The SCP 230 includes logic that determines the particular distinctive ringing or call waiting tone to be applied to the subscriber device 206 based upon the redirecting number.”

It is respectfully submitted that sending back a response message instructing the SSP to set the distinctive ring/call waiting tone on the subscriber line is different than a caller **controlling a distinctive ring** for a telephone call and forwarding the requested distinctive ring tone to an SSP, as taught in Nguyen. Thus, Nguyen does not disclose or suggest the specific combination of claim 22.

Therefore, neither LaPierre nor Nguyen, individually or in combination disclose or suggest “wherein the call logic module sends a response message to the call facilitating module, the response message including a field to identify activation of one of a plurality of distinctive types of call waiting tones based on the redirecting number,” as recited in claim 22 (Emphasis Added). Hence, claim 22 is allowable.

Claims 23-25 depend from claim 22, which Applicant has shown to be allowable. Thus, claims 23-25 are allowable, at least by their dependency from claim 22.

CONCLUSION

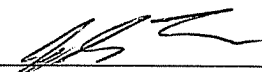
Applicant has pointed out specific features of the claims not disclosed, suggested, or rendered obvious by the references applied in the Office Action. Accordingly, Applicant respectfully requests reconsideration and withdrawal of each of the objections and rejections, as well as an indication of the allowability of each of the pending claims.

Any changes to the claims in this amendment, which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application. The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

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Date


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